

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DAVID SAXTON,  
Plaintiff

v.

MICHAEL J. ASTRUE,  
Commissioner of the  
Social Security Administration,  
Defendant

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CIVIL ACTION

No. 08-3303

FILED

APR 30 2009

By Anita B. Brody, Judge  
Dep. Clerk

ORDER

Anita B. Brody, J.

AND NOW, this 29<sup>th</sup> day of April, 2009, upon consideration of Plaintiff's request for review, and Defendant's response, and after careful review of the Report and Recommendation of United States Magistrate Judge Timothy R. Rice, IT IS ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. This matter is REMANDED to the Commissioner for review consistent with this report and recommendation.

4/30/09  
e-Mailed

BY THE COURT:

Anita B. Brody  
ANITA B. BRODY, J.